## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VICTORIA EVANOFF, as Administrator of : CIVIL ACTION

the ESTATE OF JOHN EVANOFF,

DECEASED : No. 5:23-cv-03417-JFL

Plaintiff,

.

VS.

MARSH USA, LLC,

THERESE PERRETTE, and

JOHN DOE DEFENDANTS # 1-2

Defendants.

DEFENDANTS' MOTION IN LIMINE TO EXCLUDE ANY CLAIM OR DEMAND FOR SOLATIUM DAMAGES OR REFERENCE TO DAMAGES FOR "EMOTIONAL AND PSYCHOLOGIAL LOSS"

AND NOW, Defendants Marsh USA, LLC ("Marsh USA") and Therese Perrette (together, "Defendants"), by and through their undersigned counsel, Goldberg Segalla LLP, respectfully submit the within Motion *in Limine* to Preclude Plaintiff from Asserting any Claim or Demand for Solatium Damages or Reference to Damages for "Emotional and Psychological Loss" at trial, including in the jury instructions and jury verdict form.

A Brief, Exhibits, and Proposed Order are being filed herewith and are incorporated herein by reference.

WHEREFORE, Defendants respectfully request that the Court enter Order, substantially in the form appended hereto, granting Defendants' Motion *in Limine* to Exclude Any Claim or Demand for Solatium Damages, or Reference to Damages for "Emotional and Psychological Loss."

## Respectfully submitted,

Dated: April 9, 2024 GOLDBERG SEGALLA LLP

## /s/ Michael P. Luongo

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Attorneys for Defendants Marsh USA, LLC and Therese Perrette **CERTIFICATE OF NON-CONCURRENCE** 

I, Michael P. Luongo, Esq., hereby certify that I contacted counsel for Plaintiff regarding

possible concurrence with Defendants' Motion in Limine and that Plaintiff's counsel did not concur

with Defendants' Motion.

s/Michael Luongo

Michael P. Luongo, Esq.

Dated: April 9, 2024

## **CERTIFICATE OF SERVICE**

I, Michael P. Luongo, Esq., hereby certify that a true and correct copy of the forgoing Motion *in Limine* was served on all counsel of record via ECF on the date below.

<u>s/ Michael Luongo</u> Michael P. Luongo, Esq.

Dated: April 9, 2024